Ontario

Fifteenth Annual Report

Social Assistance Review Board

Fiscal Year 1983 - 1984

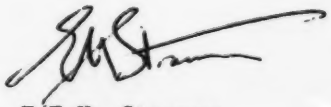
85-2900/

Letter of Transmittal

The Honourable Frank Drea
Minister of Community and Social Services

Sir:

I am pleased to present the 15th Annual Report of the Social Assistance Review Board, covering the fiscal year ending March 31, 1984.



E.F.H. Strauss
Chairman
Social Assistance Review Board

August, 1984

Board Members

as of March 31, 1984

CHAIRMAN

Eugene F. H. Strauss

VICE-CHAIRMEN

Desmond Bender
Norma Brown
Ross Edgar Edwards
Henry J. Price

MEMBERS

Peter J. Boluk
P. Edgar Buchan
Evelyn Buck
Diana Eaton
G. Jean Elliott
Madeleine Filion
M. Albertina Gabriel
Bruce J. Goulet
Alene Holt
Maurice Hotte
Pierrette Lamarche
Claudio C. Lewis
Gaetano Manuele
John W. McLaughlin
Ronald J.A. McMaster
William H. Merritt
Ethel Myers
George Nixon
Ronald G. Totten
Audrey Voice
Brian G. Yandell

EXECUTIVE SECRETARY

Tom Barratt

LEGAL COUNSEL

Harold E. Fulton, Q.C.

Table of Contents

		Page
Introduction and Background		1
Chairman's Comments		4
Statistical Tables 1983 - 1984		
Table 1:	Number of Appeals	8
Table 2:	Appeals Heard Classified by Program and Issue	9
Table 3:	S.A.R.B. Disposition of Appeals Heard classified by Program	10
Table 4:	Appeals Heard classified by Reason for Administrator's Decisions and Disposition by S.A.R.B.	11
Table 5:	Type of Representation on behalf of Appellant	14
Table 6:	Distribution by Sex	15
Table 7:	Distribution by Family Status	16
Table 8:	Distribution of Appellants by Age Group	17
Table 9:	Geographic Location of Appellants	18
Comparative Tables		
Table 10:	Number of Appeals Received and Hearings Held during the Ten-year period 1974-1975 - 1983-1984	19
Table 11:	Percentage Increase (Decrease) of Applications and Hearings during the Ten-year Period 1974-1975 - 1983-1984	20

Page

Statistical Tables 1983 - 1984

Table 12:	Percentage of Appeals Granted and Denied during the Ten-year Period 1974-1975 - 1983-1984	21
Table 13:	Percentage of Appeals Heard by Program during the Ten-year Period 1974-1975 1983-1984	22
Table 14:	Appeals to The Divisional Court of The Supreme Court of Ontario during the Ten-year Period 1974-1975 - 1983-1984	23

Introduction & Background

The first appointments to the Social Assistance Review Board were made on January 1, 1969 and the Board heard the first appeals in April of that year. Therefore it has now completed fifteen years of operation.

The Board (also referred to as "the Board of Review") continues to operate under the provisions of Sections 11 to 13 of The Ministry of Community and Social Services Act (R.S.O. 1980, c. 273 as amended) and the Regulations made under that Act. It also functions in accordance with the provisions for appeal procedures stipulated in The Family Benefits Act (R.S.O. 1980, c. 151 sections 13 to 15), The General Welfare Assistance Act, (R.S.O. 1980, c. 188 s. 11) and The Vocational Rehabilitation Services Act (R.S.O. 1980, c. 525 s. 10) and the relevant Regulations made under these Acts.

Appeals may also be addressed to the Social Assistance Review Board regarding co-payments for chronic care services which are provided for under The Health Insurance Act (R.S.O. 1980, c. 197). However such appeals have been very infrequent.

As a "tribunal" within the meaning of The Statutory Powers Procedure Act (R.S.O. 1980, c. 484), the Social Assistance Review Board operates according to the provisions of that Act. For practical reasons a statutory exemption applies to the Board's discretionary authority to order interim assistance which may be paid to an appellant pending the outcome of an appeal before the Board.

It is the function of the Social Assistance Review Board to determine independently on written appeal whether the circumstances of an appellant at the time of a social assistance administrator's decision justified that decision. The Board has no investigative powers and can therefore make a decision based only on the evidence presented for a hearing by the parties to the appeal.

The parties to the appeal are notified of the hearing as required by legislation and are invited to attend and/or to be represented and to make submissions orally or in writing. A written submission or report from either party is prima facie evidence before the Board.

The parties are alerted to the fact that a hearing may proceed in their absence, but the Board usually agrees to reschedule a hearing if notified in advance of the inability of an appellant or other key participant to attend at the stipulated time. Hearings are held in the locality or vicinity in which the appellant resides and frequently in the appellant's home when circumstances warrant special arrangements.

Each hearing is conducted by one or more members of the Board so authorized by the Chairman of the Board under subsection 11(6) of The Ministry of Community and Social Services Act. Hearings must be held in private (Section 12). They are conducted in an informal manner, subject to certain standard practices designed to ensure fairness and consistency and to promote a clear understanding of the process and procedures by people unfamiliar with them.

The Board renders its decisions and the reasons for such decision in writing. Pursuant to sub-section 14.(6) of The Family Benefits Act (and other Acts referring back to that Section) the Board may after a hearing

"14.(6) ... (a) affirm the decision;

(b) rescind the decison and direct the Director to make any other decision that the Director is authorized to make under this Act and the regulations and as the board considers proper, and for such purpose the board may substitute its opinion for the opinion of the Director; or

(c) refer the matter back to the Director for reconsideration in accordance with such directions as the board considers proper under this Act and the Regulations".

A decision of the Board may be further appealed either by requesting reconsideration by the Board itself or, when it is not a question of fact alone, by appeal to the Divisional Court of the Supreme Court of Ontario.

All appeals including the original request for a hearing by the Social Assistance Review Board must be initiated in the appropriate form within the time limit specified in the relevant legislation.

Members are appointed to the Board by Order-in-Council for 3-year terms and are from various parts of the Province.

Except as required by law and subject to the essential requirements of accountability for the prudent and legal expenditure of public funds, the Social Assistance Review Board operates as an independent and quasi-judicial body but reports to the Legislature through the Minister of Community and Social Services. The Board retains independent legal counsel.

Chairman's Comments

For the second year in succession the work of the Social Assistance Review Board increased substantially. The number of Requests for Hearings increased by 466 cases or 9.5%. The number of cases heard increased by 281 or 6.7%. The difference is accounted for by a substantial number of appeals to the Board which, prior to a Hearing, were either withdrawn by the Appellant, found to be outside the jurisdiction of the Board or to be "out of time". On the other hand, the frequency of requests for the re-scheduling of Hearings also increased, from 460 in 1982-1983 to 765 in 1983-1984. This accommodation, made in the interest of natural justice, involves considerable duplication of administrative effort. It also results in wasted journeys and additional expense, if Members are already enroute or even at the hearing location when the request for a new hearing date is received. It should also be noted that these changes, while usually requested by the appellant, contribute to the delays for which the Board is frequently criticized.

The proportion of appeals heard in respect of decisions made under the Family Benefits Act again dropped slightly, but these appeals still account for approximately 55% of the total. They increased numerically by 111 cases. Appeals against municipal decisions under the General Welfare Assistance Act increased by 133. Appeals under the Vocational Rehabilitation Services Act, which are usually complex and involve lengthy hearings, increased by 31%. Thirty of the additional 37 cases arose from decisions related to learning disabled children, bringing the total of such cases to 122 for the year. In most of these cases the appeals arose from disputes about the availability of suitable courses in the local school system. The legislation, which reflects a transitional program, leaves little room for discretion. This accounts for a significant increase in the number of cases pending before the Divisional Court of the Supreme Court of Ontario, because the Social Assistance Review Board affirmed the decision of the Director to refuse funding.

Under the Family Benefits Act, most appeals continue to pertain to medical cases ("not permanently unemployable") representing nearly 36% of the hearings held under that Act. Another issue, which has been popularly labelled "a man in the house", and which refers to applicants or recipients of either sex who are or claim to be single parents of one or more dependent children, again accounts for 4.9% of the appeals under the Family Benefits Act and 2.2% of the appeals under the General Welfare Assistance Act. Some of the cases included in the statistical tables under the heading "Recovery of Overpayment" also arise from this issue, but not all overpayment cases refer to spousal relationships. These appeals arise from findings or allegations that a recipient or applicant for a benefit was "not living in the circumstances of a single person". This is an issue which is becoming increasingly complex. The complexity stems both from changing social practices and standards and from decisions of the Divisional Court of the Supreme Court of Ontario in recent years. The Court has ruled that there must be evidence of an economic relationship between the parties, but also that such an economic relationship alone is not sufficient to prove cohabitation and consortium.

In cases pertaining to "single" status, as in all other cases, the onus at a Hearing before the Social Assistance Review Board, rests with the Appellant to meet the prima facie case of the Respondent. However, in consortium situations, the Respondent's case must now rest primarily, but not solely, on evidence of economic support, the absence of which is frequently at the heart of the problem. As a result, the Appellant's partner is encouraged to make no economic contribution at all, however close the relationship may be otherwise, lest it jeopardize the applicant's or recipient's eligibility for public support. It is an area in which it is becoming increasingly difficult to adjudicate in accordance with the existing legislation and in keeping with community standards of economic fairness and personal responsibility on the one hand, and of personal freedom and privacy on the other. At year end a number of so called "common-law" cases were yet to be heard by the

Divisional Court, but the decisions which have been rendered between then and the preparation of these comments have reinforced the decision described earlier.

In the General Welfare Assistance (G.W.A.) programme, the most frequently appealed issues remained those pertaining to employment, with "inadequate efforts to look for work" again as the top category at 12.4% of all G.W.A. cases (up from 11.7% last year) followed by "loss of job within the control of Appellant" in second place at 8.0% (down from 8.4% last year).

During the year the Board was able to hold Hearings more quickly, thanks largely to the availability of additional Board Members. The proportion of first Notices of Hearing sent out within 21 days of receipt of a request (Form 1 or Form 2) rose from 69% to 83%. Reference was made earlier to the frequency of requests for the postponement (rescheduling) of Hearing dates. It is therefore not meaningful to measure the Board's performance on the overall elapsed time of "61 days" frequently referred to in complaints. Furthermore, the 40 day period from Notice of Hearing, stipulated in the Regulation made pursuant to the Ministry of Community and Social Services Act as the time within which the Board shall deliver its decision, includes the period of notice for all parties for which a minimum of three weeks or about 21 days has been requested by most participants. The balance of 19 days is insufficient, except in the most routine of cases, to complete the process resulting in a well-reasoned, comprehensible and, above all, legally sound Notice of Decision.

The continued increase in the volume and complexity of cases helped to build up a substantial backlog in the administrative support area of the Board in spite of procedural innovations and automation.

The relatively small support staff of the Secretariat of fifteen authorized at the beginning of the fiscal year was expanded to eighteen positions later in the year. Also, additional temporary

staff was engaged in attempts to alleviate the problems and to reduce the excessive delays. Other time-saving measures, such as standardized short decisions for selected situations, were introduced. Some improvement is beginning to be noticed in spite of still rising volumes at this time.

In mid-January, 1984, Mr. Frank Mulrooney who had loyally and effectively served as the Executive Secretary of the Board since its inception more than fifteen years ago, accepted a career development opportunity and transferred to the Operational Support Branch of the Ministry of Community and Social Services. Mr. Tom Barratt from that Branch, in turn, accepted the challenge and became the Board's Executive Secretary. At about the same time Mr. Donald H. Morrow, former Member and Speaker of the Legislative Assembly, who had been a much respected member of the Board for a period of six years, retired after a long and distinguished public career. To him, as to Mr. Mulrooney, on behalf of the Board Members and staff, I wish to express this appreciation publicly for a job well done.

On February 15, 1984 the Standing Committee on Procedural Affairs of the Legislature met to review the function of the Social Assistance Review Board and invited the Chairman of the Board and its legal counsel, Mr. H. E. Fulton, Q.C., to explain its operation. At the time of writing, the Committee's report has been tabled in the Legislature but the debate thereon was adjourned. A response to the Committee's recommendations would, therefore, be premature.

STATISTICAL TABLES

TABLE 1: NUMBER OF APPEALS

CASES BROUGHT FORWARD FROM 1982-83		601
APPEALS RECEIVED DURING THE YEAR		5,386
SUB-TOTAL		5,987
CASES CLOSED WITHOUT A HEARING	876	
APPEALS HEARD	4,500	5,376
CASES CARRIED FORWARD INTO 1984-1985		611

TABLE 2: **APPEALS HEARD CLASSIFIED BY PROGRAM AND ISSUE**

ISSUED APPEALED	F.B.A.		G.W.A.		VOC. REHAB.		ALL PROGRAMS	
	#	%	#	%	#	%	#	%
ASSISTANCE REFUSED	1821	73.5	1106	59.2	144	92.3	3,071	68.3
ASSISTANCE CANCELLED/SUSPENDED	291	11.8	499	26.7	8	5.1	798	17.7
AMOUNT GRANTED	266	10.7	212	11.4	3	1.9	481	10.7
REDUCTION/RECOVERY OF OVERPAYMENT	65	2.6	29	1.6	--	--	94	2.1
OTHER	34	1.4	21	1.1	1	0.7	56	1.2
PROGRAM TOTALS	2477	100%	1867	100%	156	100%	4500	100%
PERCENTAGE OF "ALL PROGRAMS"	55.0		41.5		3.5		100%	

TABLE 3: S.A.R.B. DISPOSITION OF APPEALS HEARD CLASSIFIED BY PROGRAM

	F.B.A.		G.W.A.		VOC. REHAB.		TOTAL	
	#	%	#	%	#	%	#	%
APPEAL GRANTED	568	22.9	166	8.9	26	16.7	760	16.9
APPEAL DENIED	1726	69.7	1587	85.0	119	76.3	3432	76.2
REFERRED BACK	50	2.0	33	1.8	10	6.4	93	2.1
NO JURISDICTION	72	2.9	22	1.2	---	---	94	2.1
CONSIDERED CLOSED	61	2.5	59	3.1	1	0.6	121	2.7
TOTAL HEARD	2477	100%	1867	100%	156	100%	4500	100%

TABLE 4: **APPEALS HEARD CLASSIFIED BY REASON FOR ADMINISTRATOR'S DECISIONS AND DISPOSITION BY S.A.R.B.**

PROGRAM AND ADMINISTRATOR'S REASONS	GRANTED		DENIED		REFERRED BACK		NO JURISDICTION		CONSIDERED CLOSED		TOTAL	
F.B.A.	#	%	#	%	#	%	#	%	#	%	#	%
NOT PERMANENTLY UNEMPLOYABLE	463	60.9	1073	31.3	22	23.6	19	20.2	33	27.3	1610	35.8
NOT LIVING AS A SINGLE PERSON	33	4.4	163	4.7	7	7.5	15	16.0	4	3.3	222	4.9
INCOME ADJUSTMENT	10	1.3	97	2.8	5	5.4	3	3.2	2	1.7	117	2.6
NOT SEEKING MAINTENANCE	16	2.1	69	2.0	—	—	—	—	2	1.6	87	1.9
INCOME IN EXCESS OF BUDGET	2	0.3	64	1.9	4	4.3	1	1.1	3	2.5	74	1.7
ASSETS IN EXCESS OF LIMIT	7	0.9	62	1.8	1	1.1	1	1.1	2	1.6	73	1.6
DISPOSAL OF ASSETS	—	—	3	0.1	—	—	—	—	—	—	3	0.1
SPONSORSHIP	1	0.2	17	0.5	—	—	—	—	—	—	18	0.4
EXPENSES DOWN	7	0.9	35	1.0	—	—	1	1.0	2	1.7	45	1.0
DEPENDENT NOT ELIGIBLE	1	0.1	9	0.3	1	1.1	—	—	—	—	11	0.2
HANDICAPPED CHILDREN'S BENEFITS - NOT ELIGIBLE	4	0.5	22	0.6	4	4.3	1	1.0	1	0.8	32	0.7
INFORMATION NOT PROVIDED	—	—	33	1.0	1	1.1	1	1.1	—	—	35	0.8
OTHER	24	3.2	79	2.3	5	5.4	30	31.9	12	9.9	150	3.3
TOTAL F.B.A.	568	74.8	1726	50.3	50	53.8	72	76.6	61	50.4	2477	55.0

TABLE 4: (CONT'D) APPEALS HEARD CLASSIFIED BY REASON FOR ADMINISTRATOR'S DECISIONS AND DISPOSITION BY S.A.R.B.

PROGRAM AND ADMINISTRATOR'S REASONS	GRANTED		DENIED		REFERRED BACK		NO JURISDICTION		CONSIDERED CLOSED		TOTAL	
G.W.A.	#	%	#	%	#	%	#	%	#	%	#	%
JOB SEARCH	35	4.6	493	14.4	8	8.6	1	1.1	22	18.2	559	12.4
JOB LOSS	36	4.7	314	9.0	3	3.2	1	1.1	8	6.6	362	8.0
INCOME ADJUSTMENT	9	1.2	119	3.5	3	3.2	2	2.1	5	4.1	138	3.1
ASSETS IN EXCESS OF LIMIT	5	0.7	100	2.9	1	1.1	--	---	2	1.7	108	2.4
NOT LIVING AS A SINGLE PERSON	14	1.8	84	2.5	1	1.1	--	---	--	---	99	2.2
INCOME OVER BUDGET	3	0.4	83	2.4	7	7.5	3	3.2	2	1.7	98	2.2
DISPOSAL OF ASSETS	—	---	7	0.2	—	---	--	---	--	---	7	0.2
SPONSORSHIP	2	0.3	26	0.8	2	2.2	1	1.0	--	---	31	0.7
CANADA STATUS	—	---	5	0.2	—	---	--	---	--	---	5	0.1
NOT SEEKING MAINTENANCE	4	0.5	20	0.6	2	2.1	--	---	2	1.6	28	0.6
EXPENSES DOWN	3	0.4	27	0.8	1	1.1	--	---	--	---	31	0.7
DEPENDENT NOT ELIGIBLE	2	0.2	5	0.1	—	---	--	---	--	---	7	0.1
PARENTAL HOME AVAILABLE	12	1.6	63	1.8	—	---	--	---	--	---	75	1.7
INFORMATION NOT PROVIDED	5	0.7	85	2.5	2	2.2	--	---	3	2.5	95	2.1
OTHER	36	4.7	156	4.5	3	3.2	14	14.9	15	12.4	224	5.0
TOTAL G.W.A.	166	21.8	1587	46.2	33	35.5	22	23.4	59	48.8	1867	41.5

TABLE 4 (CONT'D)

APPEALS HEARD CLASSIFIED BY REASON FOR ADMINISTRATOR'S DECISIONS AND DISPOSITION BY S.A.R.B.

PROGRAM AND ADMINISTRATOR'S REASONS	GRANTED		DENIED		REFERRED BACK		NO JURISDICTION		CONSIDERED CLOSED		TOTAL	
VOC. REHAB.	#	%	#	%	#	%	#	%	#	%	#	%
LEARNING DISABILITY:												
NOT LEARNING - DISABLED	2	0.2	11	0.3	—	---	—	---	1	0.8	14	0.3
SCHOOL BOARD PROVIDES	15	2.0	57	1.7	9	9.7	—	---	—	---	81	1.8
PROGRESS INSUFFICIENT	1	0.2	21	0.6	1	1.0	—	---	—	---	23	0.5
INFORMATION NOT PROVIDED	—	---	4	0.1	—	---	—	---	—	---	4	0.1
TOTAL LEARNING DISABLED CASES	18	2.4	93	2.7	10	10.7	—	---	1	0.8	122	2.7
TOTAL OTHER VOC. REHAB. CASES	8	1.0	26	0.8	—	---	—	---	—	---	34	0.8
ALL VOC. REHAB. TOTALS	26	3.4	119	3.5	10	10.7	—	---	1	0.8	156	3.5
ALL PROGRAMS	760	100%	3432	100%	93	100%	94	100%	121	100%	4500	100%

TABLE 5: TYPE OF REPRESENTATION ON BEHALF OF APPELLANT

	Number of Cases	%
APPELLANT ALONE	1731	38.5
FRIEND OR FAMILY	1206	26.8
HEARING HELD IN ABSENTIA	890	19.8
PRIVATE LAWYER OR LEGAL CLINIC	388	8.6
MEMBER OF PROVINCIAL PARLIAMENT	62	1.4
OTHER	223	4.9
TOTAL HEARD	4500	100.0

TABLE 6: DISTRIBUTION BY SEX

	F.B.A.		G.W.A.		VOC. REHAB.		ALL PROGRAMS	
	#	%	#	%	#	%	#	%
MALE	1155	46.6	1366	73.2	119	76.3	2640	58.7
FEMALE	1322	53.4	501	26.8	37	23.7	1860	41.3
TOTAL	2477	100.0	1867	100%	156	100.0	4500	100.0

TABLE 7: DISTRIBUTION BY FAMILY STATUS

FAMILY STATUS	F.B.A.		G.W.A.		VOC. REHAB.		ALL PROGRAMS	
	#	%	#	%	#	%	#	%
SINGLE	669	27.0	819	43.9	130	83.3	1618	36.0
MARRIED/COMMON-LAW	648	26.2	522	28.0	15	9.6	1185	26.3
SEPARATED/DESERTED	338	13,7	224	12.0	3	1.9	565	12.6
DIVORCED	397	16.0	139	7.4	2	1.3	538	11.9
WIDOWED	226	9.1	40	2.1	—	—	266	5.9
NOT STATED	199	8.0	123	6.6	6	3.9	328	7.3
TOTAL	2477	100%	1867	100%	156	100%	4500	100%

TABLE 8: DISTRIBUTION OF APPELLANTS BY AGE GROUP

AGE GROUP	F.B.A.		G.W.A.		VOC. REHAB.		ALL PROGRAMS	
	#	%	#	%	#	%	#	%
UNDER 16	3	0.1	1	0.1	75	48.1	79	1.7
16 AND UNDER 18	9	0.4	65	3.5	10	6.4	84	1.9
18 AND UNDER 60	2205	89.0	1651	88.4	67	42.9	3923	87.2
60 AND UNDER 65	63	2.5	27	1.4	---	---	90	2.0
OVER 65	35	1.4	19	1.0	---	---	54	1.2
AGE NOT STATED	162	6.6	104	5.6	4	2.6	270	6.0
TOTAL	2477	100%	1867	100%	156	100%	4500	100%

TABLE 9: GEOGRAPHIC LOCATION OF APPELLANTS

	1983-1984		1982-1983	
MAJOR CITIES	APPEALS HEARD	PERCENT	APPEALS HEARD	PERCENT
BRAMPTON	9	0.2	8	0.2
BURLINGTON	47	1.0	33	0.8
HAMILTON	223	4.9	210	5.0
KINGSTON	39	0.9	38	0.9
KITCHENER	40	0.9	40	0.9
LONDON	207	4.6	142	3.3
METROPOLITAN TORONTO	850	18.9	969	23.0
MISSISSAUGA	40	0.9	24	0.6
OSHAWA	28	0.6	29	0.7
OTTAWA	151	3.4	114	2.7
ST. CATHARINES	120	2.7	78	1.8
THUNDER BAY	63	1.4	33	0.8
WINDSOR	265	5.9	216	5.1
TOTAL MAJOR CITIES	2082	46.3	1934	45.8
TOTAL OTHER COMMUNITIES	2418	53.7	2285	54.2
TOTAL APPEALS HEARD	4500	100%	4219	100%

TABLE 10: NUMBER OF APPEALS RECEIVED AND HEARINGS HELD DURING THE TEN-YEAR PERIOD 1974-1975 - 1983-1984

FISCAL YEAR	NUMBER OF APPEALS RECEIVED	NUMBER CLOSED WITHOUT HEARING	NUMBER OF HEARINGS	APPEALS PENDING AT YEARS END	PERCENT HEARD
1974-75	2,081	313	1,768	—	85.0
1975-76	2,424	386	2,038	—	84.1
1976-77	3,644	695	2,949	—	80.9
1977-78	4,022	823	3,199	—	79.5
1978-79	4,471	907	3,551	—	79.4
1979-80	4,929	944	3,815 *	—	77.4
1980-81	4,792	906	4,098 *	572 *	85.5
1981-82	4,680	966	3,678	608	78.6
1982-83	4,920	708	4,219	601	85.8
1983-84	5,386	876	4,500	611	83.6

* Changed from previously published data to reflect revised reporting basis

Earlier data (unchanged) now provides trend indicators only

TABLE 11: PERCENTAGE INCREASE (DECREASE) OF APPLICATIONS AND HEARINGS DURING THE TEN-YEAR PERIOD 1974-1975 - 1983-1984

FISCAL YEAR	APPLICATIONS FOR HEARINGS		CASES HEARD	
	NUMBER	PERCENT INCREASE (DECREASE) OVER PREVIOUS YEAR	NUMBER	PERCENT INCREASE (DECREASE) OVER PREVIOUS YEAR
1974-75	2,081	40.8	1,768	35.7
1975-76	2,424	16.5	2,038	15.3
1976-77	3,644	50.3	2,949	44.7
1977-78	4,022	10.4	3,199	8.5
1978-79	4,471	11.2	3,551	11.0
1979-80	4,929	10.2	3,815 *	N/A
1980-81	4,792	(2.8)	4,098 *	2.4 *
1981-82	4,680	(2.3)	3,678	(10.2)
1982-83	4,920	5.1	4,219	14.7
1983-84	5,386	9.5	4,500	6.7

* Changed from previously published data to reflect revised reporting basis

Earlier data (unchanged) now provides trend indicators only

TABLE 12:

PERCENTAGE OF APPEALS GRANTED AND DENIED DURING THE TEN-YEAR PERIOD 1974-1975 - 1983-1984

FISCAL YEAR	NUMBER	APPEALS GRANTED	APPEALS DENIED	REFERRED BACK	NO JURISDICTION	CONSIDERED CLOSED
1974-75	100%	17.1	72.8	10.1	---	---
1975-76	100%	15.9	76.9	6.6	0.6	---
1976-77	100%	16.0	80.0	4.0	---	---
1977-78	100%	17.5	79.9	2.5	0.1	---
1978-79	100%	19.2	79.0	1.7	0.1	---
1979-80	100%	13.9	82.5	2.9	0.7	---
1980-81	100%	12.5	83.4	3.1	1.0	---
1981-82	100%	16.3	78.4	4.6	0.7	---
1982-83	100%	16.5	75.5	2.3	1.8	3.9
1983-84	100%	16.9	76.2	2.1	2.1	2.7

TABLE 13: **PERCENTAGE OF APPEALS HEARD BY PROGRAM DURING THE TEN-YEAR PERIOD 1974-1975 - 1983-1984**

FISCAL YEAR	TOTAL	F.B.A.	G.W.A.	VOC. REHAB.	GAINS	CO-PAYMENT
1974-75	100%	70.4	28.0	1.0	0.6	---
1975-76	100%	54.3	41.2	4.3	0.2	---
1976-77	100%	61.7	35.4	2.7	0.2	---
1977-78	100%	67.4	30.0	2.5	0.1	---
1978-79	100%	68.3	29.5	2.2	*	---
1979-80	100%	68.6	29.0	1.9	*	0.5
1980-81	100%	69.6	27.5	2.9	---	*
1981-82	100%	70.5	26.7	2.8	---	*
1982-83	100%	56.1	41.1	2.8	---	---
1983-84	100%	55.0	41.5	3.5	---	---

* less than 0.1%

TABLE 14: APPEALS TO THE DIVISIONAL COURT OF THE SUPREME COURT OF ONTARIO DURING THE TEN YEAR PERIOD 1974-75 - 1983-84

FISCAL YEAR	APPEALS OPENED	APPEALS HEARD	APPEALS WITHDRAWN	TOTAL CLOSED	NUMBER PENDING
1974-75	4	3	1	4	2
1975-76	3	2	-	2	3
1976-77	17	4	1	5	15
1977-78	14	5	9	14	15
1978-79	12	6	8	14	13
1979-80	17	6	10	16	14
1980-81	27	7	4	11	30
1981-82	19	9	14	23	26
1982-83	20	16	13	29	17
1983-84	45	9	19	28	34